

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, :
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 :
 -v- : 18-CR-528 (JMF)
 :
HUBERT DUPIGNY, :
 :
 Defendant. :
 :
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JESSE M. FURMAN, United States District Judge:

Sentencing in this case is scheduled for May 13, 2020, at 3:30 p.m. Upon reflection, the Court concludes that there may be a need for a *Fatico* hearing — for instance, with respect to disputed conduct as to which the Government did not present evidence at trial. *See, e.g.*, ECF No. 197, at 10-12 (moving to preclude evidence of an alleged rape of Victim 2); October 23, 2019 Tr. 24-25 (granting the motion). The Government shall confer with defense counsel and, no later than **March 13, 2020**, file a letter indicating the parties' views on whether a hearing is necessary or appropriate and, if so, why and the estimated length of a hearing.

SO ORDERED.

Dated: February 26, 2020
New York, New York



JESSE M. FURMAN
United States District Judge